

VPI/97-104 CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Frank Wei Min Lu

Group Art Unit : 634

Applicants : Michael S. Su et al.

Application No. : 09/642,749

Confirmation No.: 1079

Filed : August 18, 2000

For : METHODS FOR DESIGNING INHIBITORS
OF SERINE/THREONINE KINASES AND
TYROSINE KINASES

New York, New York
June 11, 2002

Hon. Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Sir:

Transmitted herewith: ☐ a Preliminary Amendment; ☒ a Response to Office Action; ☐ a Supplemental Amendment; ☐ a substitute Specification; ☐ a Declaration; ☐ a Supplemental Declaration; ☐ a Power of Attorney; ☐ an Associate Power of Attorney; ☐ formal drawings; to be filed in the above-identified patent application.

FEE FOR ADDITIONAL CLAIMS

☒ A fee for additional claims is not required.

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The additional fee has been calculated as shown below:

CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEES
TOTAL CLAIMS	-	* =	X \$ 18 =	\$
INDEPENDENT CLAIMS	-	** =	X \$ 84 =	\$
FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM			+ \$280 =	\$
			TOTAL	\$ <u> </u>

* If less than 20, insert 20.

** If less than 3, insert 3.

☐ A check in the amount of \$___ in payment of the filing fee is transmitted herewith.

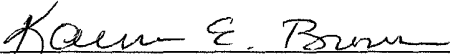
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. § 1.16, in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

☐ Please charge \$___ to Deposit Account No. 06-1075 in payment of the filing fee. A duplicate copy of this transmittal letter is transmitted herewith.

EXTENSION FEE

☐ The following extension is applicable to the Response filed herewith; ☐ \$110.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); ☐ \$400.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); ☐ \$920.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); ☐ \$1,440.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); \$1,960.00 within fifth month pursuant to 37 C.F.R. § 1.136(a).

- ☐ A check in the amount of ☐ \$110.00; ☐ \$400.00; ☐ \$920.00; ☐ \$1,440.00; ☐ \$1,960.00 in payment of the extension fee is transmitted herewith.
- ☒ The Director is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.
- ☐ Please charge the ☐ \$110.00; ☐ \$400.00; ☐ \$920.00; ☐ \$1,440.00; ☐ \$1,960.00; extension fee to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.


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Docket No. VPI/97-104CON

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New York, New York 10020
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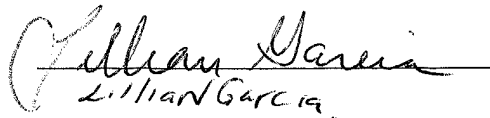
EXPRESS MAIL CERTIFICATION

Express Mail Label No. EV 079957201 US

Date of Deposit: June 11, 2002

I hereby certify that the following papers and fees are being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and are addressed to the Hon. Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202.

1. Transmittal Letter (in duplicate);
2. Reply to Office Action; and
3. Postcard.


Lillian Garcia



06-13-02

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New York, New York 10020
June 11, 2002

Hon. Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO OFFICE ACTION

Sir:

This is in reply to the May 15, 2002 Office Action in the above-identified application. A response is due June 15, 2002.¹ Thus, this response is timely filed.

REMARKS

The Restriction Requirement

The Examiner states that restriction to one of the following inventions is required under 35 U.S.C. § 121:

¹ The last day for responding to the communication is June 15, 2002, which falls on a Saturday. Pursuant to 37 C.F.R. § 1.7, applicants may submit this response on the next business day.

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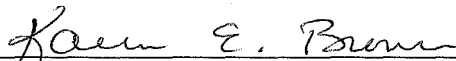
Group I: Claims 10-15,² drawn to a mutant of a naturally occurring second serine/threonine protein kinase or tyrosine protein kinase;

Group II: Claims 15-17, drawn to a crystallizable co-complex of a mutant second protein kinase and an inhibitor; and

Group III: Claims 18-22, drawn to a method for determining whether a test compound binds to a mutant second serine/threonine protein kinase or a mutant second tyrosine protein kinase.

Applicants elect Group I, claims 10-14, without traverse. This election is made expressly without waiver of applicants' rights to continue to prosecute and to obtain claims to the non-elected and/or canceled subject matter either in this application or in other applications claiming priority herefrom.

Respectfully submitted,



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² Applicants believe that the Examiner meant claims 10-14, and will address the response accordingly.